

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

Site Update Solutions LLC,  
Plaintiff

v.

Accor North America, Inc., et al.,  
Defendants

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Case No.2:10-cv-151

**JURY TRIAL DEMANDED**

**MOTION TO DISMISS RED HAT, INC. WITH PREJUDICE**

Plaintiff Site Update Solutions LLC (“SUS”) hereby moves the Court to dismiss all causes of action asserted in this suit against Red Hat by SUS in the above identified action and all counterclaims asserted in this litigation against SUS by Red Hat WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41, with each party to bear its own attorneys’ fees and costs.

Date: May 6, 2011

Respectfully submitted,

By: /s/ Edward W. Goldstein

Edward W. Goldstein

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**Attorneys for Plaintiff**

**Site Update Solutions LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 6, 2011. Any other counsel of record will be served by first class U.S. mail.

/s/ Edward W. Goldstein  
Edward W. Goldstein